

**IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MARION**

STATE OF OREGON

Plaintiff,

v.

[REDACTED],

Defendant.

CASE NO: [REDACTED]

DA NO: [REDACTED]

**ORDER TO EXTEND MAXIMUM TIME
FOR INPATIENT RESTORATION**

This matter came before the Court for a determination of placement pursuant to end of jurisdiction notice provided by Oregon State Hospital (OSH).

In making findings, the Court has considered the following:

1. Clinical data of progress toward restoration,
2. Evidence that the defendant's inability to aid and assist is not due to a condition that is unlikely to result in restoration such as a significant neurocognitive disorder (e.g., dementia or traumatic brain injury), or significant neurodevelopmental disability disorders,
3. Evidence regarding the outcome of prior efforts at restoration.


THE COURT FINDS:

1. The defendant is charged with, Unlawful Use of a Weapon probation violation, Attempted Kidnap in the Second Degree, “violent felony” pursuant to ORS 135.240(5), as well as Assault in the Fourth Degree and Aggravated Harassment
2. By clear and convincing evidence, there is a danger of physical injury or sexual victimization to the victim or a member of the public if the defendant is discharged from OSH.
3. The defendant meets the requirements of ORS 161.370(3), and
4. There is a substantial probability that continued commitment at OSH will lead to a determination that the defendant has gained or regained fitness to proceed within that 180 day extension.

THE COURT ORDERS:

1. Defendant shall remain at Oregon State Hospital for an additional 180 days beyond the timelines described in July 3, 2023, Second Amended Order to Implement Neutral Expert’s Recommendations in *Disability Rights Oregon et al v. Allen et al.*, USDC Oregon Case No. 02-cv-00039-MO (lead case).
2. The criminal proceeding against the defendant in the aforementioned matter continues to be suspended.
3. Defendant’s commitment to the Superintendent of the Oregon State Hospital continues as required by ORS 161.370 and ORS 161.371.

8/9/2023 8:55:52 AM



Circuit Court Judge Audrey J. Broyles

DATED: _____

Circuit Court Judge

PAIGE CLARKSON
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